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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI,S.R. NAYAK, CJ.

W.P. NO.2039 OF 2006.

PETITIONERS

1. Lalla Khan, S/o Israr Khan, Aged about 45 years, R/o. Rajbandha Talab, Aspatal Ward, Raipur.
2. Mohd. Jaheer Bee, S/o Late Sher Ali, Aged about 35 years, R/o Rajbandha Talab, Aspatal Ward Raipur.

Vs.

RESPONDENTS

1. State of Chhattisgarh, Through the Secretary, Urban Administration, Mantralay, D.K.S. Bhawan, Raipur.
2. Municipal Corporation, Raipur, Through Commissioner.
3. Collector, Raipur.
4. Authorised Officer, Under Act 15 of 1984, Through Collector, Raipur.

Present : Mr. Ashok Soni, learned counsel for the petitioners.

Mr. Yashwant Singh, learned Govt. Adv. for the State.

ORAL ORDER
(Passed on 20th April, 2006)

To put the case of the petitioner, in brief, is that the 2nd respondent, Municipal Corporation has granted 2 portions of land each admeasuring 9 sq.mtr. to each of the writ petitioners, for a period of 30 years in the year 1984 and thereafter, the petitioners put up construction in the said parcels of land. When the matter stood thus, the petitioners apprehending that they are likely to be dispossessed by the authorities of the 2nd respondent-Corporation from the subject property for the purpose of road widening, have filed the writ petition under Article 226 of the Constitution seeking intervention of the Court. It is not the case of the petitioners that the lease granted in their favour for a period of 30 years is terminated prematurely. If the lease subsists and if the

Corporation Authorities unjustifiably and illegally interfere in any way with the peaceful possession and enjoyment of the subject land, the petitioners can workout their legal remedies by resorting private law review remedies. As on today, nothing is placed before the Court except the self-serving statement that the petitioners are likely to be dispossessed by the Municipal Corporation Authorities from the subject property for the purpose of road widening. Hence, I decline to entertain this writ petition and it is accordingly dismissed. No costs.

Sd/-
Chief Justice